

## **Exhibit I**

**William John Gormley**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
WILLIAM JOHN GORMLEY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )  
: SS.:  
COUNTY OF NEW YORK )

WILLIAM JOHN GORMLEY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1954 1<sup>st</sup> Avenue, Apt. 11P, New York, New York 10029.

2. I am currently 23 years old, having been born on August 20, 1998.

3. I am the son of William John Gormley, Sr. upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from bladder cancer on June 14, 2017, at the age of 53. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was only 18 years when my father passed away. My father and I had a close relationship when I was growing up. He coached me and would make a point to attend all my games. I played football and lacrosse and was glad that my dad was able to coach our football team. I always felt that he was there for me. Even though my father already had suffered significant health problems when I was still in high school, and didn't share too much about it,

he always made himself available to talk if my brothers and I needed any help.

6. Since my family moved to Vermont when I was still quite young, I remember my dad would commute to NYC to work as a fireman and was not at home all the time. I remember my dad's schedule would vary somewhat. Sometimes, he would be home about once a week, other times he would stay in New York a full week and then return home for two weeks. At the time of September 11, 2001, we were still living in New York City, and my father worked at Ground Zero assisting the FDNY with rescue and recovery operations that day. Since I was only three years old at the time of 9/11, I don't remember specifics of my dad's work. But I understand that he continued work at Ground Zero over the course of several months following the attacks.

7. I'm so devastated that I lost my father when I was so young. For much of my childhood, my dad had some health issues. I recall when he had the kidney transplant. He showed me the scar, and I remember thinking how intense the surgery must have been for him. All of these conditions and their corresponding treatments have consequences. Since we lived in Vermont, my dad would take us hiking quite a bit. However, I remember when we were hiking together around Griffith Lake, which lies near our hometown of Danby, my father stopped the walk at the halfway point, and we had to turn around because heading up the mountain became too taxing for him. When my father was diagnosed with cancer, my parents didn't tell us too much. But we all kind of knew that my father's condition became more serious because the number of medical appointments increased significantly. Even though there were changes from day to day, my parents tried to keep things as normal as possible for us, and my siblings and I tried to just roll with the punches. It was difficult having to watch my mom work so hard to manage my dad's care, which always became more complicated. I still remember how I would hear alarms go off twice a day, reminding my mom to prepare the medications for my dad in the morning and the evening. While a lot of this must have been very hard for my dad to endure, I remember him being pretty tough about it and trying to appear as strong as possible.

8. When my dad passed away, I was hurt and also surprised. I knew he had some serious procedures when I was growing up; however, I always felt he would bounce back. Preparing this statement is exceptionally difficult, as I'm haunted by all the memories associated with my father's declining health. Even thinking about receiving phone calls reporting on his condition is very heartbreakin. When my family and I went to visit my dad in

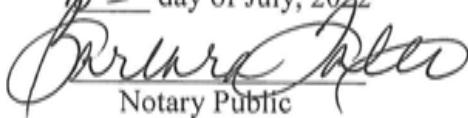
the hospital before he passed away, they were truly sad moments. But I could see that my dad tried to keep a positive attitude and told my siblings and me how much he loved us. My dad, always quick witted and funny, was even smiling and joking with us during those visits.

9. Of course, while everyone who lost a loved one on 9/11, or soon afterward, would be in great pain, our family experienced substantial pain and suffering as well. Not only was my father's health impacted mentally and physically after 9/11, but it continued to decline for nearly 16 years until he passed away. For me and my family, it was agonizing to watch my dad become worse and worse.



WILLIAM JOHN GORMLEY

Sworn to before me this  
18<sup>th</sup> day of July, 2022



Barbara Tateo  
Notary Public

BARBARA TATEO NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01TA4962776 Qualified in New York County Commission Expires June 17, 2021
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**Kathleen Giannone**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re:

--X

## TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
KATHLEEN GIANNONE**

Plaintiffs,

20-CV-00411 (GBD)(SN)

V-

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-X

STATE OF NEW YORK )  
: SS.:  
COUNTY OF QUEENS )

KATHLEEN GIANNONE, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 61-63 76<sup>th</sup> Street, Middle Village, New York 11379.
2. I am currently 61 years old, having been born on September 17, 1960.
3. I am the sister of Michael ("Mickey") Robert Henry, Sr., upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My brother passed away from metastatic renal cell carcinoma on November 28, 2013, at age 55. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. I was very close to my brother, Mickey. He was only two years older than me, and I looked up to him a lot. We had a truly strong connection since our other brother, Frank, was eleven years older and had already joined the army while I was still in school. Our family

had always lived in Queens. After Mickey retired, including the time when he started to become ill, he was living in Eastern Pennsylvania. Despite the distance, we remained very close and generally visited each other every weekend. In addition to regular weekly trips, we made sure to get together with the rest of our family for holidays and other special events. Since Mickey and I were die-hard Yankees fans, we frequently went to baseball games when he came to visit. Mickey was on a bowling league, and we enjoyed going bowling together every now and then. My husband got along well with Mickey as well, which was nice because whenever we would visit Mickey in Pennsylvania, the two of them would do some fishing on the lake up there.

6. Mickey worked as a detective with the NYPD. On 9/11, as soon as he heard about the terrorist attacks, he went down to the World Trade Center and was at Ground Zero by the time the second plane crashed into the South Tower. From that point on, Mickey was actively involved in the rescue and recovery efforts, helping to dig people out of the debris. He told me about how he was down there for over a month, enduring traumatic experiences during that time. Mickey explained he came upon bodies as he assisted in moving debris from the attacks. At the time, I was friendly with an FDNY fireman who had also responded to 9/11 and asked my brother to help try to find him. Unfortunately, he was already lost.

7. Sometime late in 2011, my brother's bloodwork showed some irregularities, including an iron deficiency. This led to Mickey feeling tired and worn out. He went for a number of doctor visits and testing, which ultimately led to his kidney cancer diagnosis requiring surgery. Following the diagnosis, Mickey went for treatment to Roswell Park Cancer Center in Buffalo, where my niece was a nurse. During his treatment, additional scans were taken that showed that the cancer had spread to his brain. He had already suffered through a kidney surgery, and now was experiencing memory loss due to the tumor in his brain. I was devastated by the news of my brother's rapidly declining condition. I didn't get to see him while he was in Buffalo, but I did go to see him when he was in hospice back in Pennsylvania. It was extremely difficult and broke my heart to see him in that condition. When Mickey started asking his visitors, "where's my sister," I knew I had to go. Seeing my brother lying in his hospice bed was the worst. Mickey was in such rough shape. He seemed to fade in and out. It was very hard for me emotionally. I couldn't really handle it. I tried to keep myself together because I didn't

want to break down in front of him. I knew that would upset him. Thankfully, I had my husband there with me, which made things a little bit easier.

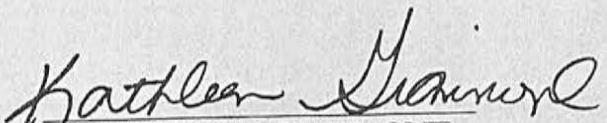
8. It was emotionally grueling to see my older brother go through so much pain.

After Mickey's surgery, he prepared a bucket list of things he wanted to do. To fulfill one wish, I took Mikey to a Yankees game, which featured a special tour of the dugout. We even had a chance to meet Hall of Famer, Mariano Rivera. I still have the photo of Mickey and me from that day on my phone, and I think of him whenever I pick it up. I still keep Mickey's photo on my home screen so he's always there. I know it was especially hard for my brother's wife, Donna, to go through such a difficult time too. During the time Mickey was battling cancer, she had a young son and must have felt somewhat isolated in Pennsylvania. Her family didn't live there, and we were in Queens. As much as Frank and I tried to be there, most of Mickey's care fell on Donna.

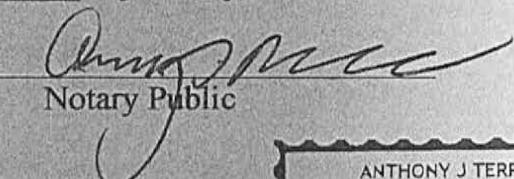
9. It was hard for me to visit because I didn't want to see my brother while he was suffering. I know he wanted me to visit, and I felt awful. For me, I remember Mickey as a strong, very active police officer who loved to bowl, go fishing, and have a good time. To see my brother totally overcome, just lying in bed, unable to do anything, was extremely hard. When I finally did get to see him, he was happy I was there. Mickey was a big jokester and always the life of the party. To see him unable to move and not light up the room like he did before was very emotional for me. I couldn't even stay in his room the entire time. I had to step outside from time to time to avoid breaking down in tears in front of him.

10. Mickey spent so much time at Ground Zero helping others and assisting his fellow officers. Because of that, he was exposed to the 9/11 toxins and became extremely ill. With Mickey gone, I've suffered a great loss. Our entire family has. Mickey was extremely loved. In fact, my youngest son got a tattoo on the side of his chest bearing Mickey's shield number, 1184, which reads: "Gone but never forgotten." Badge 1184 had a lot of significance because that, too, was our older brother Frank's number. Mickey requested it after Frank's

retirement. My poor brother was only 55 when he died. He was taken from all of us way too soon.

  
KATHLEEN GIANNONE

Sworn to before me this  
27 day of July, 2022

  
Notary Public

ANTHONY J TERRACCIANO  
Notary Public - State of New York  
NO. 01TE4852014  
Qualified in Nassau County  
My Commission Expires Feb 3, 2026

**Michael Christopher Henry**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

— X —  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

— X —  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF**  
**MICHAEL CHRISTOPHER HENRY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

— X —  
STATE OF PENNSYLVANIA )  
: SS.:  
COUNTY OF WAYNE )

MICHAEL CHRISTOPHER HENRY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 1038 Deer Trail Road, Lake Ariel, Pennsylvania 18436.

2. I am currently 26 years old, having been born on February 7, 1996.

3. I am the son of Michael Robert Henry, Sr., upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from kidney cancer on November 28, 2013, at 55 years old. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was 17 years old when my father passed away.

6. My father was a consistent and constant figure in my life. He retired when I was young, so he was always there for me. Every day when I got home from school, he was there. For every one of my baseball and basketball games, cross country meets, and swimming races, he was there. He would give me advice about how I could improve at every sport and was

always a coach for me. He coached me on how to be the best person I could be as well. We had a great a relationship, and I was open with him about everything. I told him everything from things that were bothering me in my head to troubles I had with girlfriends. He was always there to give me advice and guide me.

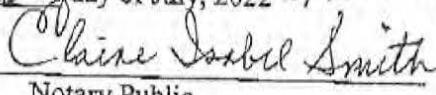
7. I was very young at the time of the events of 9/11. There is not much I know about my dad's experiences on that day and the days after. He didn't want to talk about it too much. I remember him being gone for a very long time. I didn't get to see him for a while. I know that, while he was there, he slept in a church for a few days.

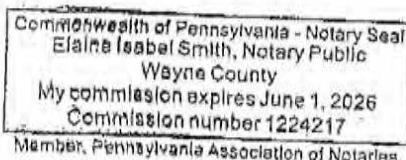
8. In the months leading up to my father's diagnosis, it was obvious something was off with him. He was acting differently and became a bit short tempered. My mother took him in for some tests, and he was diagnosed with cancer. My parents sat me down and told me together. During his chemotherapy treatments, he would have total personality changes. Some days, he would be normal and others he would flip out and hallucinate. The next day, he would be normal like nothing happened. It was very tough.

9. Losing my father was very hard. It still hurts to this day. It was sad watching him become angry and lose his physical abilities. For a while afterwards, it was hard to care about anything. It affected my relationships with women and caused me not to be the best I could be at times. I used college baseball as a distraction because it brought back great memories of my father. It was hard to move on, and eventually I sought counseling. The counseling has helped, and I now talk openly about my experiences. Talking openly helps, as I feel I can help others, but it does not take away the pain. I still attend counseling to this day.

  
MICHAEL CHRISTOPHER HENRY

Sworn to before me this  
26<sup>th</sup> day of July, 2022 by MICHAEL CHRISTOPHER HENRY.

  
Elaine Isabel Smith  
Notary Public



**Donna Ann Henry**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
DONNA ANN HENRY**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NORTH CAROLINA )  
: SS.:  
COUNTY OF PENDER )

DONNA ANN HENRY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 112 Moonlight Walk, Hampstead, North Carolina 28443.

2. I am currently 61 years old, having been born on August 13, 1960.

3. I am the wife of Michael Robert Henry, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My husband passed away from kidney cancer on November 28, 2013, at 55 years old. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. Michael was the love of my life. We were married in 1988 and had a wonderful marriage. We established a home in Orange County, New York. We loved going to concerts together and dancing. Unfortunately, we struggled with infertility. This unfortunate struggle led us to adopt our son, Michael, which was a blessing in disguise. We raised our son in our home

in Orange County until my husband retired. After, we moved to Pennsylvania to a place with a pool and other amenities. Once Michael was retired, he was home all the time. He was my everything, and we did everything together. He was very outgoing and always joking. We always made plans together and went on many vacations.

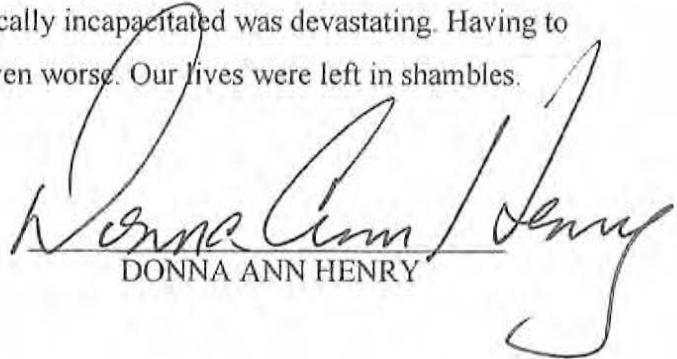
6. Michael was an undercover narcotics detective with the NYPD on 9/11. He went to work as if it were a normal day. Once he learned what was happening, he went directly to the World Trade Center site. He was there by the time the second plane hit. He ended up spending the next several days sifting through the debris. He wanted to help people anyway he could. He ended up staying there for a month before he came home. He would return afterwards until the job was finished.

7. In December of 2011, I was running a blood drive in my community and Michael came to donate. The regular tests were being run on his blood but for some reason they couldn't get a reading on his iron. This led to trips to several different doctors and eventually a cancer center. It took 6 months of doctors' visits but finally we found a diagnosis. It was on Memorial Day weekend that the doctors informed me that my husband had kidney cancer. I was the one who told my husband he had cancer. It was extremely difficult.

8. After his diagnosis, we immediately got on the phone to find the best place for him to be treated. I attended his surgery, where he had a kidney removed along with the tumor. Things were going well until Memorial Day the following year. His personality changed, and he became volatile and forgetful. We took him to a doctor where scans were done. These scans revealed tumors on his brain. We ended up doing outside hospice because I did not want him to die in our home. Financially, my husband's illness was devastating. He was already retired, and we had to go into his pension. That only covered half the expenses. We had to live off of life insurance for a year.

9. My husband's illness and death were devastating to me. It changed our family. We reached a point in our lives where nothing was okay. I was in and out of counseling after his death. I was in a complete fog in the last year of my husband's life. It was tough trying to manage my son and husband's relationship. It was hard trying to keep the things from my son that no young person should see. It is a wound that will never fully heal.

10. My husband chose his career to help people. This career is what ultimately killed him. Having to watch my husband become physically incapacitated was devastating. Having to watch him become mentally incapacitated was even worse. Our lives were left in shambles.

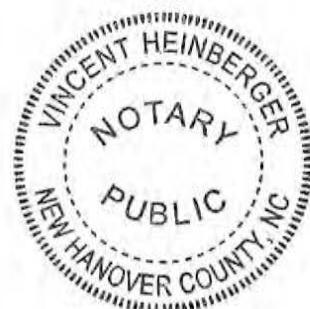


DONNA ANN HENRY

Sworn to before me this  
14 day of July, 2022



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Notary Public



**Frank P. Henry**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In Re:

## TERRORIST ATTACKS ON SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
FRANK P. HENRY**

Plaintiffs.

20-CV-00411 (GBD)(SN)

10

ISLAMIC REPUBLIC OF IRAN.

Defendant.

-x

STATE OF NEW YORK )  
: SS.:  
COUNTY OF ERIE )

FRANK P. HENRY, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 261 Wyeth Drive, Getzville, New York 14068.

2. I am currently 73 years old, having been born on February 25, 1949.

3. I am the brother of Michael Robert Henry, Sr., upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My brother passed away from renal cell carcinoma on November 28, 2013, at age 55. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My younger brother, Michael, and I were extremely close. We had a nine-year age gap, so I was like a father figure to him. I was a police officer and then a detective in New York, and my brother wanted to follow in my footsteps. I watched his career very closely, and

when I retired, my brother asked to wear my detective badge number. The Police Department presented him with Badge #1184 for the rest of his career. Michael and I stayed close after we retired from the NYPD, although we lived apart. I lived in Buffalo, and Michael and his family lived in Pennsylvania.

6. Michael was very upset about what he witnessed on September 11, 2001. He didn't talk too much about it. He would take a police van down to the World Trade Center and offer help to civilians and first responders whenever it was needed.

7. We went to see my brother on Labor Day 2011. We saw that Michael had lost a lot of weight, and I was very distraught over it. Michael told me he was going for various testing to figure out what was wrong. He really didn't know what was wrong at all. To see my brother in the shape he was in, we knew there was something wrong.

8. When my brother was diagnosed in May 2012, his doctor told him that they didn't have a local hospital near his home that could treat his condition. My brother wanted to come up to Roswell Park Cancer Center in Buffalo. At the time, my daughter was a nurse at this cancer center and got him an expedited appointment. She booked him with a kidney specialist, Dr. Schwab, who performed many tests and decided to remove Michael's kidney. Michael underwent a kidney removal surgery in May 2012.

9. The cancer metastasized to Michael's brain in May 2013. When I learned that the cancer had spread to his brain, that's when I knew he wasn't coming back. When his brain cancer was found in May 2013, he was transported from a hospital in Pennsylvania to Roswell Park Cancer Institute by ambulance for evaluation. They couldn't help him surgically there and he opted to return home to Pennsylvania for radiation treatment and then didn't return to upstate New York. Watching him go through treatment was very hard. He was a healthy young man who deteriorated so quickly. Michael was so weak. All he could do was sit on the couch. Every time he came to Buffalo from Pennsylvania for treatment, he seemed worse and worse.

10. My family and I incurred several expenses during the course of Michael's illness. We spent a lot of money on travel to visit Michael. The meals, the hotels, and taking his family out to dinner. But we never thought about it like that. The money didn't matter. What really mattered was the hardship.

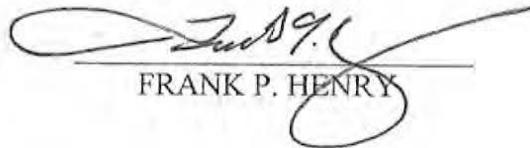
11. A large part of my stress during Michael's illness was seeing how confused Michael became when the cancer spread to his brain. He couldn't even hold a conversation. There were times where he would be taking off his clothes when he shouldn't have, or where he didn't even know where he was. I tried to explain to his wife Donna that he wasn't doing those things because he wanted to, but because it was a reaction to the cancer. I think it helped the whole family out that my wife and daughter are nurses. Donna would call them nearly every day with questions about how to care for Michael. Donna would even call at 1:00 or 2:00 a.m. As a young nurse, my daughter will never forget this experience. She would always check in on Michael to make sure he was receiving the proper care.

12. It was the hardest thing in my life to watch Michael's health spiral. He was a healthy man, an active detective, and always the life of the party. He would light up every room. To see him at the end—he couldn't even remember my name. Michael entered hospice in October 2013. He was in and out of consciousness because of all the medications he was on. When Michael was on his death bed, he asked me to take care of his wife and family after he died. I mean, how do you respond to that? It was just terrible. After the last time I saw Michael, I drove home all the way to Buffalo crying. He passed away on Thanksgiving Day in 2013. It was only eighteen months from the time of his diagnosis until his death.

13. I was an NYPD Detective for twenty years, and I saw a lot of things. But Michael's illness and death were still the hardest thing I ever went through. I don't sleep like I used to. Watching him fade away and knowing it was because he volunteered at the World Trade Center was extremely upsetting. No one should have to see their younger brother get sick and die years before they do. My wife and daughter know how much my brother meant to me. They knew how close we were. There aren't many people who have their younger brother follow in their footsteps their whole career. For my brother to leave me at such a young age was traumatic. He shouldn't have died so soon in life. I pray that nobody has to suffer the way he did.

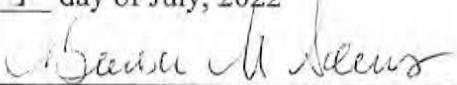
14. I worry about my brother's family. I try not to talk about it or think about it, but it's impossible not to think about. Michael's death really tore our family apart. When you don't have any more good memories, it's hard to stay close as a family. It's better not to try to get

together like we used to as an extended family, because it hurts to think about Michael. There's nothing to laugh about anymore, nothing to be happy about, after Michael's death. This was the worst nightmare that I could ever imagine.



FRANK P. HENRY

Sworn to before me this  
15 day of July, 2022



Barbara A. Schaus  
Notary Public

BARBARA A. SCHAUS NOTARY PUBLIC, STATE OF NEW YORK Registration No. 01SC4868838 Qualified in Erie County Commission Expires AUGUST 18, 2024
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**Brian H. Hess**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
BRIAN H. HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )  
: SS.:  
COUNTY OF QUEENS )

BRIAN H. HESS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.

2. I am currently 24 years old, having been born on March 11, 1998.

3. I am the son of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. My father was an FDNY firefighter. He tried to spend as much time with his kids as possible. We did a lot of water sports- fishing, canoeing, boating. I was only 3 years old when the 9/11 attacks happened. I don't have a lot of memories of him before that time. The last memory I have of him is us going hiking on a mountain in New Paltz, New York. That was a couple of months before he died. I was ten years old when he died.

6. My father spent a lot of time on the pile, after the 9/11 attacks. He was trying to find bodies and clean up the debris.

7. I was 10 when my father got sick. At that age, a kid isn't really thinking about his father's breathing problems. Maybe if he were a smoker, but he didn't smoke. I remember being told my dad had lung cancer and he was going to have surgery. I thought it would be a normal procedure, but I was so young, I didn't know the details or the severity of his illness. He was in the hospital for about a week after the surgery, and he died in the hospital.

8. His illness and death shattered my life. It stunted my emotional growth. I didn't have my father to look up to. I had a lot of great men to support me, but you can't replace a father. I think if I had that father-figure, maybe my life would have turned out differently. He wasn't there when I was growing up. He wasn't able to be a part of my life. Period. Not just special occasions, like birthdays or graduations. How many milestones have you accomplished at 10? I've had a lot of hardships in my life that I believe were caused by losing my father as a young kid. Growing up without a father, not having him there for me, it's very difficult to move past that loss. I'm 24, now. I've lived more years without him than I got to spend with him.

Sworn to before me this  
11<sup>th</sup> day of July, 2022

Abbe Erhard  
Notary Public



**Connor P. Hess**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
CONNOR P. HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK      )  
                            : SS.:  
COUNTY OF QUEENS      )

CONNOR P. HESS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.

2. I am currently 21 years old, having been born on September 26, 2000.

3. I am the son of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

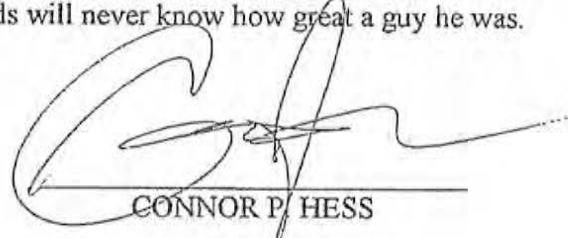
5. My relationship with my father was very good. I saw my dad often, and we spent time together. I loved my father. We did a lot of outdoor stuff. We'd fish in the creek near our house, and we'd go hiking. My dad bought us a canoe before he died, and we used that a lot while he was still alive.

6. My father was an FDNY firefighter on 9/11. I was an infant, but I know he spent a lot of time downtown helping with the rescue and recovery efforts. He saw a lot of things that damaged him and that he carried with him the rest of his life. It was very traumatic and sad for him.

7. My parents sat all of us kids down and told us that my dad had to go to the hospital. I don't know if I fully understood that he had cancer until he died. Prior to his death, I wasn't aware of any health issues my dad had. While he was in the hospital, I was too young to visit him. I was very nervous when he had to have the surgery. He passed away in the hospital. I was in shock and numb when I learned that he died.

8. At his funeral, there were so many people. Tons of FDNY officials and officers. People spoke very highly of my father. I realized at his funeral how many people my father touched in a positive way. But it was very traumatizing for me to see my father lying in a casket. That made it real to me. I can remember being at his funeral and feeling the shock wear off.

9. It's hard not having him here. He was my best friend when I was a kid. There's so much he's already missed out on in my life. I'm in a serious relationship now, and I wish my father could meet my boyfriend. I want to get married and have kids, and it's sad knowing my dad won't be a part of it. It's very sad that my kids will never know how great a guy he was.



CONNOR P. HESS

Sworn to before me this  
11<sup>th</sup> day of July, 2022

  
Notary Public



**Kimberly L. Hess**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
KIMBERLY L. HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X  
STATE OF NEW YORK )  
: SS.:  
COUNTY OF QUEENS )

KIMBERLY L. HESS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.

2. I am currently 29 years old, having been born on March 16, 1993.

3. I am the daughter of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.

4. My father passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.

5. I was only 17 years old when my father died. I had a great childhood with my father until the events on September 11, 2001. I was in the third grade when the World Trade Center Towers were attacked and where my father was a first responder. Growing up, my dad was very involved in my life and the lives of my brothers. We'd go to the park together. I swam, and he would come to my swim meets. He was just a great dad. I remember being so happy

doing all these fun things with my dad. As a family, we'd do things together and go everywhere together. After the attacks, he was so consumed with survivors' guilt and PTSD. He became a different person. His entire attitude about life changed. He would tell me he wished he had died on that day. He became an alcoholic. He wasn't a nice person to be around.

6. My dad was a firefighter with the FDNY. I was in the third grade when the attacks happened. We didn't hear from him for days, maybe even a week. He stayed at Ground Zero for two weeks after the attacks, until he finally came home. When I first saw him, the whites of his eyes were completely red. I was petrified when I saw him.

7. He became so macabre and distraught. He would tell my mother details of looking for bodies. My parents started sleeping separately. My dad would sleep on a recliner instead of in the bed with my mother. I remember asking my mom if they were getting a divorce. But my dad started sleeping in a chair because he couldn't sleep lying down. He couldn't breathe. Doctors said he had sleep apnea. Every night, he would go to bed in the recliner wearing a CPAP machine.

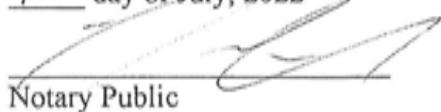
8. On my 17<sup>th</sup> birthday, my parents sat me down and told me that my father had lung cancer. They said he needed surgery to remove the tumor from his lung, but that he would be fine after the surgery, which was performed on April 23, 2010. The doctors needed to remove more of his lung than they had anticipated. Everything went downhill from there. He needed to go on a respirator, but he kept trying to pull out the breathing tube. The only way to stop him was to put him in a medically induced coma. He was in a coma for a week. I don't remember the specifics, but he kept having complications. This went from being a serious, but straight-forward surgery to a complete disaster. He never came out of the coma.

9. The impact of my father's death derailed my life for many years. When he died, I was a junior in high school. I was planning on going to college and looking forward to moving away from home. I got a scholarship, but when I got there, I didn't take my academics seriously. I became a full-blown alcoholic. I was numbing my pain by drinking. It took me five years to graduate, and I didn't seek treatment for my alcoholism until I was 24 years old. But I realized I was turning into my father—doing exactly what he did—drinking to escape pain. I saw a lot of him in myself at that time, and I decided it was time to change. I wanted to better myself. It wasn't easy, but I've been sober five years, now. It's still very difficult for me to talk

about my father. It's taken many years, and I've done a lot of work to figure myself out. Now, I'm sober, I'm working as a teacher for the Department of Education, with pre-school kids. I love my job. I love going out and finding things to do that are good for me, instead of self-sabotaging behavior. Losing my father so young and unexpectedly, I didn't know how to handle it other than to drink. It certainly wasn't the life I had planned, but I got through it, and it made me into the person I am today.

Kimberly L. Hess  
KIMBERLY L. HESS

Sworn to before me this  
12 day of July, 2022

  
Notary Public



**Robert John Hess**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
ROBERT JOHN HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NEW YORK      )  
                            )  
                            : SS.:  
COUNTY OF QUEENS      )

ROBERT JOHN HESS, being duly sworn, deposes and says:

1.       I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.
2.       I am currently 24 years old, having been born on March 11, 1998.
3.       I am the son of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4.       My father passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5.       My father was an FDNY firefighter. My twin brother and I were only 10 when he died. I had a good relationship with my dad. It's hard to remember a lot of it, but it definitely wasn't a bad relationship. I credit my dad with a lot of the interests I have today. We would watch documentaries together. We'd go fishing in the creek behind our house. We took long walks. I remember always being really excited when he came home, because we lived far away

from where he worked. There were mornings where he had already left for work when I woke up and nights that I'd go to bed before he came home. Sometimes, he would stay at work for a couple of days at a time.

6. On September 11, 2001, I believe my dad was supposed to be working that morning, but he had switched shifts with another firefighter, so my dad wasn't downtown during the attacks. The guy who swapped shifts with my dad was killed, along with a large number of my dad's other co-workers and friends. As soon as my father heard how bad things were, my dad left to go down to Ground Zero. Both towers had already gone down by the time he arrived. He missed the worst of it, and I know that affected him the rest of his life. I was only 3 years old, but my mom told me he stayed there for two weeks without coming home.

7. A few years after the attacks, I remembered my mom explaining to me that my father couldn't sleep in their bed anymore, because he couldn't breathe lying down. He was sleeping in a recliner next to the bed. I remember the sound of him snoring—it was like a jackhammer. He needed a sleep apnea machine to make sure he didn't stop breathing while he slept.

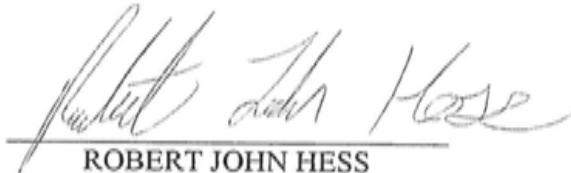
8. I was only 12 years old when my father was diagnosed with lung cancer. I think my parents hid a lot of the details from us kids while it was going on. They wanted to protect us from being scared. My parents told me that he was going to the hospital to have polyps removed from his nose, and they explained that it was a growth that was blocking his airway. I don't remember thinking anything bad was happening, but I remember not seeing him for at least a week, which turned into two weeks. I was staying with my grandmother. I remember the last time I spoke to my father on the phone. He said that he'd be home soon and have a baseball catch when he was better. I remember how excited I was about that, because, with my dad's schedule, having the time to do that stuff was rare. The next time I saw my dad was at his funeral. I really wasn't told anything at all. I never worried, because they never told us anything was wrong. It felt like I was totally oblivious to what was going on.

9. Learning that he died was obviously very heavy. I didn't let myself cry in front of other people. I'd wait until all the visitors had left the house and then I'd go into my room and cry until I fell asleep. That became an unhealthy habit I've developed throughout my life—bottling my feelings up inside and not talking to people about it until it was too much.

10. It was very difficult being a teenage boy without a father. It's a burden when you're that young. People would tell me that I looked like my dad or that I talked like him, which just made me feel worse. It made me sad to think about and, if it made me sad, my presence, as a reminder of him, I'm sure that was sad for a lot of other people.

11. When I went to college, I started to drink every single day. My dad was a drinker, but he overcame that in his life. I wonder if he had been around, if he would have been able to stop me or help me. I'm very lucky that I'm not drinking anymore. I'm sober now. I have a job, and I plan to finish college. But when you're newly sober, it's important to have a steady routine and not add additional stress for at least a year. School has always been a source of anxiety for me. I want to get my degree, but this is best for me at the moment.

12. I don't think people understand that the pain doesn't go away. It can bubble up at any time—if I'd hear a certain song on the radio that reminded me of my dad, I'd burst into tears. Or I would have dreams where he was still alive. He'd say he had to go away for a little while, but he'd be back. Waking up from those dreams does not make for a very happy morning.



ROBERT JOHN HESS

Sworn to before me this  
11<sup>th</sup> day of July, 2022

Abbe Erhard  
Notary Public



**Patricia Murphy-Hess**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X

In Re:

TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

03-MDL-1570 (GBD)(SN)

-----X  
GEORGIA M. ASCIUTTO, et al.,

**AFFIDAVIT OF  
PATRICIA MURPHY-HESS**

Plaintiffs,

20-CV-00411 (GBD)(SN)

v.

ISLAMIC REPUBLIC OF IRAN,

Defendant.

-----X

STATE OF NEW YORK )  
: SS.:  
COUNTY OF QUEENS )

PATRICIA MURPHY-HESS, being duly sworn, deposes and says:

1. I am a plaintiff in the within action, am over 18 years of age, and reside at 140-15 Rockaway Beach Boulevard, Belle Harbor, New York 11694.
2. I am currently 57 years old, having been born on March 11, 1965.
3. I am the wife of Robert M. Hess, upon whose death my claim is based, and submit this Affidavit in connection with the pending motion for a default judgment and in support of my solatium claim.
4. My husband passed away from lung cancer on May 2, 2010, at the age of 46. It was medically determined that this illness was causally connected to his exposure to the toxins resulting from the September 11, 2001, terrorist attacks.
5. My husband was a devoted family man. We raised four beautiful children together. We had always wanted a big family. They were the focus of our lives. We lived in a town called Stone Ridge, New York, which was about 110 miles away from the city, so they could run around and be active.

6. Robert was a firefighter with the FDNY. He was promoted to Lieutenant shortly before the 9/11 attacks and hadn't been permanently assigned to any firehouse. He "bounced around" where he was needed. Prior to the promotion, he had spent 11 years as a firefighter assigned to Engine 26. During the time of the attacks, he was back at 26, filling in for someone who was on vacation. His captain asked if he could be assigned there semi-permanently. Robert decided to stay. The station is on 37<sup>th</sup> Street and 7<sup>th</sup> Avenue in Manhattan.

7. We lived in Marine Park, Brooklyn at that time. On September 11, 2001, my husband had traded shifts with another firefighter in order to work the evening shift, instead of the morning. He had been scheduled for the morning shift, which meant somebody else was there instead of him during the actual attacks and collapses. Soon, the FDNY called everyone in to go to the site. The department commandeered buses to pick up firefighters on the way from Brooklyn to Manhattan. My husband's bus was going over the Brooklyn Bridge when the South Tower collapsed. He learned that every member of Engine 26, including his captain, died by the time he arrived. He was the only remaining firefighter from the entire company.

8. My husband was destroyed by the news. I think the loss was too much for him to comprehend. He was laser-focused on the job and getting back to it. He spent the next two weeks at Ground Zero, and the kids and I had very little contact with him. During that time, he was being lowered down into what had been the underground commercial area of the towers. When he came home, what I remember most clearly were his eyes—the whites of his eyes were completely red and glazed over. Robert would try to explain to me what it was like searching for bodies. He said, at the beginning, they were expecting to find dead bodies or body parts that were recognizable. That's not what they found. He said it was like searching through slabs of roast beef—if it bled when you squeezed it, it was human.

9. For the first few months, he had been trying to suppress all the guilt and pain he was feeling, but he couldn't escape it. By Christmas, 2001, he became a completely different person. My husband was wracked with survivor's guilt and suffered severe PTSD. Can you imagine losing 60 of your brothers and being the only one left. He started to drink very heavily and had become an alcoholic. He went to get help from FDNY support services, but they didn't do anything to stop his drinking. They gave him Valium, which was the last thing he needed. Now, he was taking these pills and passing out in front of the kids. He stopped taking the pills.

The drinking came to a head in 2007. One night, while all the kids were home, he had an outburst and just went crazy. He was screaming, throwing things, breaking all the computer equipment. The kids were terrified and huddling together on the kitchen floor. Robert knew if he didn't stop drinking, he risked losing the kids, altogether. He stopped on his own and never drank alcohol after that incident.

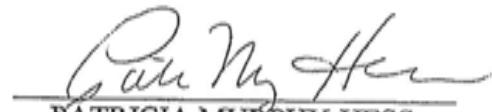
10. His breathing problems began very shortly after his work at Ground Zero. Six months after the attacks, he couldn't breathe while lying flat. He wasn't able to sleep in our bed. He slept in a recliner we had moved into the bedroom. I remember my daughter thought we were getting a divorce, because her dad would sleep on a chair. But it was his breathing. He was diagnosed with sleep apnea, which meant he would stop breathing during the night and was attached to a machine that monitored his breathing in his sleep.

11. In February of 2010, my husband went for his regular 6-month medical exam. The doctors said he had developed polyps in his nasal cavity, and they were restricting almost all his airways. We were planning to have the polyps surgically removed. In April, the doctors checked his lungs and realized the problem wasn't just in the nasal cavity. They found a tumor. It went way beyond his nasal cavity and all the way into his lung. It was cancerous. They were perplexed because it was a cancer normally found in the intestines, not in the lungs or airways. Even though the cancer diagnosis was unexpected, the doctors were very optimistic. They said he wouldn't need chemo or radiation treatments. Robert would have to retire from work, but he would recover and be able to breathe better. The kids knew that he had cancer and needed surgery, but dad would be back home in a few days.

12. On April 23, 2010, they performed the surgery to remove the tumor. The doctors had to remove  $\frac{3}{4}$  of his lung, much more than expected. They had to cut him open from his shoulder down to the middle of his back. In the recovery room, he was screaming from pain. My husband was a 45-year-old marathon runner, and I'd never known him to complain about aches and pains, until that operation. It was so bad that not even morphine relieved the pain he was in. The surgery was on a Friday. By Sunday, he had a bad fever and couldn't breathe. The doctors were unable to perform a bronchoscopy to find and fix the problem. Robert had to remain on a respirator. He kept trying to pull out the tubes. He was resisting so much, the doctors had to put him into a medically induced coma to keep him from hurting himself.

13. Doctors discovered that his body was having a negative reaction to the surgery. His lungs were filling up with fluid. His body started to drown itself. Robert's kidneys started failing, causing septic poisoning. After a week on the respirator, he died from a massive heart attack. My husband was dead four weeks after he was diagnosed with cancer. No one expected him to die. We'd been telling the kids not to worry. Even the doctors couldn't believe he was gone. He was supposed to have the surgery, retire, and wouldn't be running any more marathons. But he was coming home to his family. He never came home. The next time the kids saw their father was at his funeral. The consequences of his death impacted every one of us, in ways we could never imagine.

14. Financially, we had always lived paycheck to paycheck. We never had huge savings. We had money to pay the bills and raise four kids. Robert took care of all the finances. I never paid a bill. That was all him. When he died, I didn't know anything about the mortgage, insurance, or banking. I never dealt with this. Now, my husband was dead, and I've got 4 kids and no money. I couldn't even pay for his funeral—the FDNY took up a collection for that. If it wasn't for friends and family, including Robert's FDNY family, I could have easily wound up homeless.



PATRICIA MURPHY-HESS

Sworn to before me this  
11 day of July, 2022

Melissa Carlile  
Notary Public

MELISSA CARLILE  
Notary Public, State of New York  
Reg. 01CA6096166  
Qualified in Ulster County  
Commission Expires July 28, 2023